

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

LAWRENCE ROBINSON,)	No. CV-F-02-5418 OWW
)	(No. CR-F-97-5129 OWW)
)	
Petitioner,)	ORDER DENYING PETITIONER'S
)	MOTION TO VACATE JUDGMENT
vs.)	(Doc. 4)
)	
UNITED STATES OF AMERICA,)	
)	
Respondent.)	
)	
)	

Petitioner Lawrence Robinson moves to vacate the judgment entered on October 23, 2007 denying his motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255. Petitioner, relying on Rule 60(b)(4) and (6), Federal Rules of Civil Procedure, contends that he is entitled to vacation of the judgment because the Court failed to address the merits of his motions for post-conviction discovery.

Petitioner's motion to vacate is without merit and is DENIED. The Memorandum Decision and Order filed on October 23, 2007 expressly denied Petitioner's motions for post-conviction

1 discovery because that discovery would not have supported
2 Petitioner's claim that Videotronics was not a business operating
3 in interstate commerce. Because the Court addressed the motions
4 for post-conviction discovery, there is no basis to vacate the
5 judgment.

6 IT IS SO ORDERED.

7 Dated: January 7, 2008

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE